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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 DALE LESLIE SCHWAB, Jr.,)
9)
10) Petitioner,) Case No. C09-783-MJP
11)
12) v.)
13)
14) STEPHEN SINCLAIR,) **ORDER OF DISMISSAL**
15)
16) Respondent.)
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23)

24 The Court, having reviewed petitioner's 28 U.S.C. § 2254 petition for writ of habeas
25 corpus, his amended petition, and his objections to the Report and Recommendation (Dkt. Nos. 6,
26 8, 17), the Report and Recommendation of United States Magistrate Judge Brian A. Tsuchida, the
27 governing law, and the balance of the record, does hereby find and ORDER:

- 28 (1) The Court adopts the Report and Recommendation;
29 (2) Petitioner's petition for writ of habeas corpus and amended petition (Dkts. 6, 8) are
30 DISMISSED with prejudice;
31 (3) The Clerk of Court is directed to send copies of this Order to petitioner and to
32 Magistrate Judge Brian A. Tsuchida.

1 DATED this 23rd day of November, 2009.

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4 Marsha J. Pechman
5 United States District Judge
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